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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,060	11/25/2003	Toru Noda	1466.1081	4208

21171 7590 01/11/2006

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EXAMINER

DEBROW, JAMES J

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/720,060	Applicant(s) NODA, TORU	
	Examiner James J. Debrow	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/25/2003
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Application filed on 25 Nov 2003
2. Claims 1-7 are pending in the case. Claims 1,4, and 7 are independent claims.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1, and 2, are rejected under 35 U.S.C. 102(e) as being anticipated by Bodin et al. (Patent No.: 6,604,106 B1; Filing Date: Dec. 10, 1998).**

With regard to independent claim 1, Bodin et al. discloses a client-server system for generating web pages. Bodin et al. invention consists of a client machine (PC with browser) that is connected to a *Web server* via the Internet (*network*) (column 3, lines 24-25; Fig 1). The Web server accepts a client (*user*) request and returns a response (*Web page generation portion*). The operation of the server program is governed by a number of server application functions (*operation portion for determining*

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the entire or part of the content of the Web page in accordance with a parameter designated by the user), which is configured to execute in a certain step of a sequence (column 3, lines 54-57). Bodin et al. further discloses a primary objective of the invention is to provide server-side methods for optimizing storage of the server content, and dynamically serving such content in response to client requests (*storage portion store the entire or part of contents of the Web page in accordance with a parameter designated by the user*) (column 1, lines 64-66). Bodin et al. further discloses a primary objective of the invention is to provide server-side methods for optimizing storage of the server content, and dynamically serving such content in response to client requests (column 1, lines 64-66).

With regard to dependent claims 2, this claim contains substantially similar subject matter as claim 1, and is rejected along the same rationale.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bodin et al. (Patent No.: 6,604,106 B1; Filing Date: Dec. 10, 1998) in view of Carlson (patent No.: 6,697,849 B1; Filing Date: May 1, 2000).**

With regard to independent claims 4, and 7, Bodin et al. discloses a client-server system for generating web pages. Bodin et al. invention consists of a client machine (PC with browser) that is connected to a *Web server* via the Internet (*network*) (column 3, lines 24-25; Fig 1). The Web server accepts a client (*user*) request and returns a response (*transmission logic for transmitting the generated Web page*). The operation of the server program is governed by a number of server application functions (*screen generating logic*), which is configured to execute in a certain step of a sequence (column 3, lines 54-57). Bodin et al. further discloses a primary objective of the invention is to provide server-side methods for optimizing storage of the server content,

and dynamically serving such content in response to client requests (*storage portion store the entire or part of contents of the Web page in accordance with a parameter designated by the user*) (column 1, lines 64-66). The functionality of the invention is implemented in a set of instructions, which may be stored in hard disk, or a removable memory such as a CD ROM or floppy disk (column 8, lines 19-26). The functionality of the invention is implemented in a set of instructions, which may be stored in hard disk, or a removable memory such as a CD ROM or floppy disk (column 8, lines 19-26). In a representative embodiment of the invention, Bodin et al. discloses a second process (44 in Fig 3) is a Java servlet. Bodin et al. also disclose, it is well known that a *Java Servlet* comprises class files executable in a Java virtual Machine (JVM). A conventional Web browser typically includes a JVM, of which the servlet processes are executable within the content of an existing Web server (*Web server having a function of a Java servlet for transmitting a Web page*) (column 4, lines 26-34).

Bodin et al. does not disclose expressly, *business logic for determining the entire or part of contents of the Web page in accordance with a parameter designated by the user*.

However, Carlson discloses, applications that run on application servers are generally constructed according to an n-tier architecture in which presentation, *business logic*, and data access layers are kept separate (column 1, lines 32-33). It has been established that the n-tier architecture can be divided into four tiers, a presentation tier, a data access tier, a business tier, which consists of business objects and rules for data manipulation and transformation (*business logic for determining the entire or part of*

contents of the Web page in accordance with a parameter designated by the user), and a data tier which controls data storage of the Web server (storage portion store one or more contents information indicating the content determined by the business logic in connection with the Web page and the user). Data manipulation is typically performed in accordance with a parameter designated by the user.

Therefore, at the time of the invention, it would have been obvious to a person of ordinary skill in the art use Carlson's teaching of an application server's n-tier architecture, with Bodin et al. system of a client-server system for generating web pages.

The motivation for doing so would have been for the benefit of providing a platform for supporting large-scale Web applications (column 1, lines 15-21).

With regard to dependent claim 3, Bodin et al. does not disclose expressly, a *Web page regeneration portion for generating a Web page designated by an administrator.*

However, Carlson discloses application servers may provide management tools related to application development and deployment. Application servers may also provide tools for easily configuring the application to utilize various application server services (column 3, lines 52-65).

Therefore at the time of the invention, it would have been obvious to combine Carlson with Bodin et al for the benefit of providing an administrator tools pertaining to real-time application management and monitoring (column 3, lines 66-67).

With regard to dependent claim 5, this claim contains substantially similar subject matter as claim 4, and is rejected along the same rationale.

With regard to dependent claim 6, Bodin et al. does not disclose expressly, a *Java servlet comprising a replay logic for generating Web page designated by an administrator.*

However, Carlson discloses application servers may provide management tools related to application development and deployment. Application servers may also provide tools for easily configuring the application to utilize various application server services (column 3, lines 52-65).

Therefore at the time of the invention, it would have been obvious to combine Carlson with Bodin et al for the benefit of providing an administrator tools pertaining to real-time application management and monitoring (column 3, lines 66-67).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James J. Debrow whose telephone number is 571-272-5768. The examiner can normally be reached on 8:00-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James J. Debrow
Examiner
Art Unit 2176


HEATHER R. HERNDON
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